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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,485	07/23/2003	Michael B. Paulkovich	034856-0101	7816
22428	7590	03/17/2005		
FOLEY AND LARDNER			EXAMINER	
SUITE 500			NGUYEN, DINH Q	
3000 K STREET NW			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20007			3752	

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/624,485	PAULKOVICH, MICHAEL B. <i>me</i>	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dinh Q. Nguyen	3752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 July 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12, 14-30, 32, 33 and 35-39 is/are rejected.
- 7) Claim(s) 13, 31 and 34 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 7/23/03
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Objections***

1. Claims 1 and 17 are objected to because of the following informalities: in claim 1, lines 8 and 9, and claim 17, lines 10 and 11, "a predetermined localized portion" should read --said predetermined localized portion--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8, 10-12, 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Enk.

Enk discloses a fire suppression system 10 for detecting and suppressing fires in a protected space comprising: a plurality of reservoirs 28-30 for containing a fire retardant, a piping network with flow paths 21, 18, 21, 35, 36, a plurality of sprinklers 14, 15, 33, 34, at least one valve 25 for selectively open particular zone that is on fire, at least one fire detector 52/61 (temperature sensor), at least one damage sensor 52/61 (optical), a signal means 43/44, a control station to control at least one valve (see figure 4), a control station with system status monitor displays 43-46, 59, a halon fire extinguishant (see column 2, lines 34-41), a mean for audible annunciation such as the airplane telecom system.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 5-10, 12-28, 30, 32, 33, and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uetake et al. in view of Matsuoka.

Uetake et al discloses a water fire suppression system comprising: a fire detector such as a smoke sensor 7, a damage sensor such as a temperature detecting sensor 5, a plurality of sprinklers 2a-2n, a pressure pump 3P to pressurize water within the system, at least one valve 2M, an input device 26 such as a keyboard to manually control the opening and closing of the valves, an output device 27 such as a display device for monitoring the system, a piping network with a plurality of flow path 2R, 3R. Uetake does not disclose a plurality of reservoirs each with a level sensor. However Matsuoka discloses a fire suppression system comprising: a plurality of reservoirs 16, 62, a water level sensor 56, a piping network 20 with flow paths 24, at least one valve 26, at least one fire detector 40, a signal means CS1-CS3, a control station 30. Therefore, it would have been obvious to one having ordinary skill in the art to have provided the device of Uetake et al. with a plurality of reservoirs each with a level sensor as suggested by Matsuoka. Doing so would provide an effective fire suppression system.

With respect to claims 7 and 25, to have a plurality of control stations is just a matter of design choice and is obvious to one skilled in the art.

6. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uetake et al. in view of Matsuoka as applied to claims 17-24, 26-28, 30, 32, 33, and 35-39 above, and further in view of Enk.

Uetake et al. in view of Matsuoka teaches all the limitations of the claim except for a halon fire retardant. However, Enk discloses a halon fire suppression system 10 for detecting and suppressing fires in a protected space. Therefore, it would have been obvious to one having ordinary skill in the art to have provided the device of Uetake et al. and Matsuoka with a halon as a fire retardant as suggested by Enk. Doing so would provide a better fire suppression system (see Enk column 2, lines 34-39).

#### ***Allowable Subject Matter***

7. Claims 13, 31, and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to show the art with respect to a fire suppression system: Phillips, and Sundholm.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dinh Q. Nguyen whose telephone number is 571-272-4907. The examiner can normally be reached on Monday-Thursday 6:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Scherbel can be reached on 571-272-4919. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dinh Q. Nguyen  
Primary Examiner  
Art Unit 3752

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